

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5457 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE S.D.DAVE Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?  
Nos. 1 to 5 No

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BABUBHAI G VIDJA

Versus

COLLECTOR OF BK

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Appearance:

MR NR TANDEL for Petitioner

MR MAULIN RAVAL, AGP for Respondents.

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CORAM : MR.JUSTICE S.D.DAVE

Date of decision: 13/04/98

ORAL JUDGEMENT

The petitioner before me happens to be the President of a Co-operative Housing Society known as Swami Vivekanand Co-operative Housing Society Limited. The grievance of the petitioner is that the Government under the orders of the respondent no.1 Collector, Banaskantha have allotted them some land for the construction of the houses of the Members of the Society

but the rate fixed by the respondent is very high and that though it was brought to the notice of the respondent that the rate in respect of one another society known as Siddharth Co-operative Housing Society Limited is very low the Government has not granted them any relief in this respect.

Upon hearing learned Counsel Mr.Tandel for the petitioner and learned Government Counsel Mr.Maulin Rawal who appears for the respondents it appears that now the petitioner society is prepared to make fresh representation to the respondent no.1 herein within a period of three weeks hereof. It is agreed that if such representation is made by the petitioner, the same shall be considered and decided on merits according to law by the respondent no.1 within a period of four weeks to be calculated from the date of the receipt of the representation. It shall be open for the petitioner to contend in the said representation that their society is also entitled to the similar treatment as has been given to the other society viz.Siddharth Co-operative Society Limited. This contention if is raised in the representation the same shall have to be decided by respondent no.1 within the time frame as stipulated above after giving reasonable opportunity of being heard to the petitioner. The petition stands disposed of accordingly. Rule shall stand discharged. No costs.

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m.m.bhatt